

JUVENILE RECIDIVISM IN DELAWARE

An Analysis of Youth Released in 2012 through 2016

August 2018

Delaware Criminal Justice Council

Statistical Analysis Center

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Introduction

The Juvenile Recidivism in Delaware report is completed by the Statistical Analysis Center for the Division of Youth Rehabilitative Services (YRS) as well as the state of Delaware's criminal justice community. It is an analysis of youth released in 2012 through 2016 from a YRS Level 5 or Level 4 Secure facility. As required, there were two measures analyzed for this report: re-arrest and re-commitment. This study represents 6-8% of the Division of Youth Rehabilitative Services' overall client base, and follows the most intensive clients with the lengthiest and most in-depth involvement in both the YRS community and criminal justice system. The SAC reports on juveniles released from Level 5 and Level 4 facilities only. In part, due to Level 3 and below having less concrete start and end dates on electronic record for the included cohort years. Without reliable at-risk dates, we are unable to conduct a thorough, complete and accurate recidivism study.

This study focuses on in-state recidivism events following release from a Level 5 or Level 4 juvenile facility. Youth become subjects of this study at the release event in which they are at-risk of re-offending and being re-arrested or re-admitted. Each youth can thus be counted only once as a recidivist after a given release, however, a return to a secure Level 5 or Level 4 facility can mean the youth could be counted as a recidivist in another cohort following their next release. The measure of youth re-arrest for a felony within 12 months was requested by policy makers in October of 1998 in an effort for better cross-jurisdictional comparisons. SAC has retained this measure in this study, for purposes of comparison to previous reports on juvenile recidivism in Delaware.

Subjects in this study were tracked for re-arrest and re-commitment after their at-risk dates using electronic data stored in the state's criminal justice information system, court, and Department of Correction and YRS record repositories. Offenses counted as recidivism were limited to state felonies, serious misdemeanors, or violations of probation or parole. Excluded as recidivism events are most state motor vehicle offenses, state criminal offenses classified as violations, and all municipal ordinances. A small number of offenses excluded from recidivism counts can result in jail terms, but the general distinction used for exclusion was that only jailable state offenses were counted as recidivism. (Refer to Table A1 for details.)

For post-release arrests identified, recidivism events were established by offense dates, not actual arrest dates. The intent was to associate recidivism events as closely as possible with an offenders' return to criminal behavior, rather than when authorities became aware of and acted on their behavior. Offenses were not counted as recidivism events if the post-release arrest was for offenses that occurred prior to release. Recommitments were based only on YRS or DOC admission dates, regardless of when the underlying offense(s) occurred. Any secure custody readmissions, in detained or sentenced status, and regardless of sentence length, were counted as recommitments.

The following report is based on youth released from Youth Rehabilitative Services, hereafter referred to as a YRS, Level 5 or Level 4 facility in calendar years 2012 through 2016. All youth were at-risk at least 12 months and all but 24 youth (in cohort 2012) and four youth (in cohort 2013) were at-risk for 18 months after release. Their "at-risk" dates were calculated using the day the youth was released from a secure juvenile or adult facility, as some youth flow directly from a YRS facility to an adult facility. This report provides information about re-arrests and re-admissions to a secure facility within the first 18 months of release, broken down by facility, type of stay, race, gender and age. Secure facilities include YRS Secure Detention, Level 5 and Level 4 facilities and Adult Secure Detention, Level 5 and Level 4 institutions. (See appendix A2) This study focuses on in-state recidivism events following release from a Level 5 or Level 4 juvenile facility. Youth become subjects of this study at the release event in which they are at-risk of re-offending and being re-arrested or re-

admitted. Each youth can thus be counted only once as a recidivist after a given release, however, a return to a secure Level 5 or Level 4 facility can mean the youth could be counted as a recidivist in another cohort following his next release. The measure of youth re-arrest for a felony within 12 months was requested by policy makers in October of 1998 in an effort for better cross-jurisdictional comparisons. SAC has retained this measure, in this study, for purposes of comparison to previous reports on juvenile recidivism in Delaware.

Considerations

The eighteen month recidivism re-arrest and re-admission rates for the 2012 through 2016 cohorts that were the focus of this study were fairly high. However, these rates are consistent with previous studies conducted by the Center using similar methods and measures. As in any study of this nature, rates could change in either direction if different decisions are made about recidivism measures and methods used to capture and analyze data. Readers should exercise caution when comparing recidivism rates in this report to findings in other studies. Without an understanding of what measures and methods are being utilized in a given report, recidivism rate differences can lead to misleading conclusions about offender behavior and rehabilitation efforts.

Analyzing recidivism is challenging, as it is a complex, multifaceted problem. Recidivism is only one type of measure needed to determine whether a package of sanctions and interventions was successful in deterring an individual from future offending. A number of metrics can be used to determine the success or failure of a juvenile. Recidivism and desistance are essentially all or none measures-either a person continues to reoffend or they do not. However, addressing behavioral health needs, educational achievement, and life skills development are critical to long term success. Rehabilitation is a gradual, non-linear process with progress occurring in incremental steps. Examination of recidivism then should also include appropriate study of additional rehabilitation efforts to understand the progress youth are making on the path toward no longer recidivating.

Additional factors to consider when reviewing recidivism rates in this report are the decrease in the number of juvenile offenders being admitted into a Level 5 or Level 4 secure facility, procedural efforts to limit youth from entering the criminal justice system, and programming efforts to shorten a juvenile's time in secure custody. It is unknown at this time what affect, if any, the statewide Juvenile Civil Citation program that took effect in late 2015 and other procedural efforts aimed at reducing juveniles' exposure to the criminal justice system has had on arrests and admissions into secure juvenile facilities. It is noteworthy that juvenile arrests have been declining significantly since 2013 as well as juvenile admissions to secure facilities. With a recent focus towards secure custody efforts being directed at higher risk offenders, the propensity to recidivate for those being released from a Level 5 or Level 4 secure facility could be greater than previous cohorts. Essentially by admitting higher risk juveniles to these facilities and sending low-risk offenders to other programming, recidivism rates could reasonably be expected to remain steady or increase.

Recidivism Subject and Offense Group Summaries

The demographic makeup of YRS youth cohorts released in 2012 through 2016 is summarized in the following tables and charts. Subjects were not separated by ethnicity for analysis due to the low or near-zero counts for Hispanic and all Other ethnicities. Ethnicity identification is also difficult to determine with confidence due to reliability issues resulting in high rates of conflicting data. Race, gender, age, and offense histories are common parameters in recidivism research, and they are among the factors that appear to have some association with recidivism rates. Characteristics explored in this report are given somewhat cursory analytical attention. Recidivism is influenced by extensive and complex sets of characteristics and circumstances. The limited analyses presented here are intended more to illustrate recidivism variability with just a small number of factors than to support firm conclusions about the influence of those factors.

Table 1 shows summary counts by race and gender for tracked cohorts as released from a YRS Level 5 or Level 4 facility from 2012 through 2016. Males comprised 87.4% of youth released from a YRS facility from 2012 through 2016. Of the youth released across all years, approximately 65.6% were black males. The percentage of black males has increased 11.7% over five years, while white males have decreased 12.5% over the same period. Relatively large fluctuations in proportions for female release cohorts are not unexpected given the low numbers of YRS Level 5 and Level 4 releases. Readers should be mindful of small group counts, especially for females, as breakouts of released youth characteristics are presented throughout this report.

Table 1. YRS Level 5 and Level 4 release cohort race and gender counts

	2012		2013		2014		2015		2016	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Black	192	32	208	33	185	27	120	11	111	17
White	81	11	80	13	55	4	35	7	20	5
Total	273	43	288	46	240	31	155	18	131	22

Figure 1. YRS Level 5 and Level 4 release cohort race and gender proportions

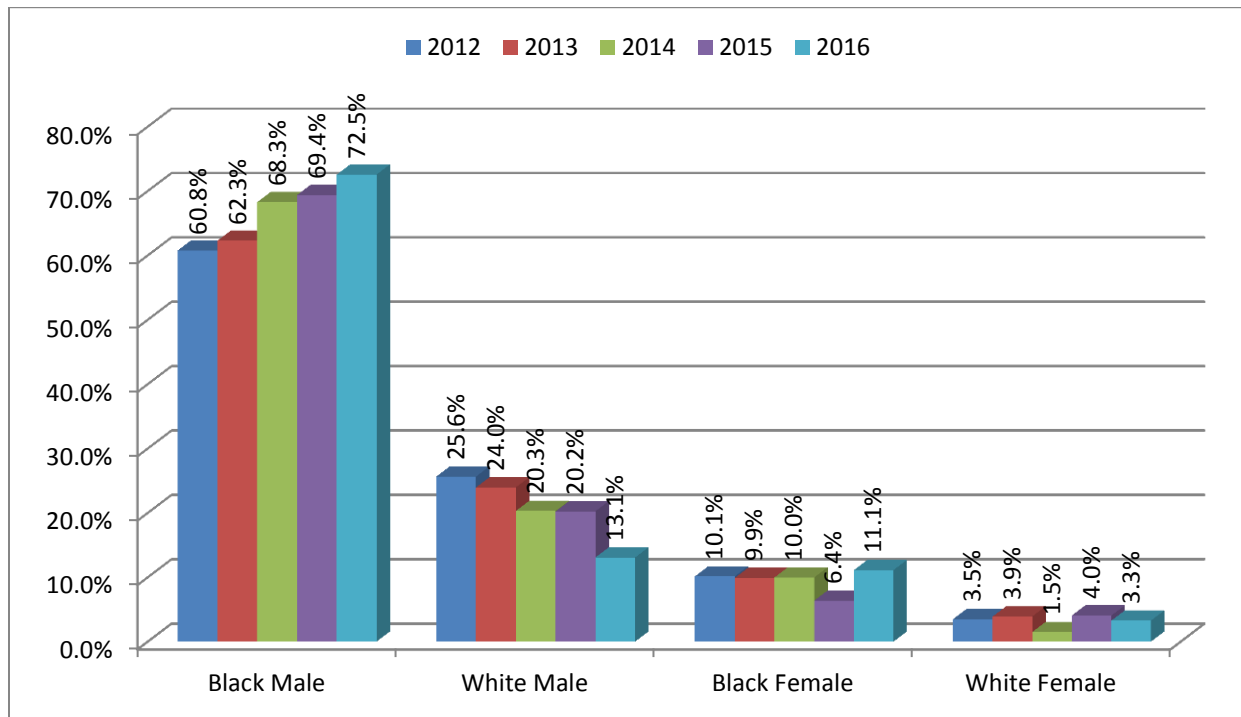


Table 2 shows age of youth by release year. Across all release cohorts, 71.3% of youth released from YRS Level 5 and Level 4 facilities were between 15 and 17 years of age at release, while 18 year olds accounted for 20.3%.

Table 2. YRS Level 5 and Level 4 release cohort by age at release

Age at Release	Release Year				
	2012	2013	2014	2015	2016
12	0	0	1	0	0
13	4	3	1	3	4
14	14	17	18	13	6
15	44	51	32	24	25
16	68	79	68	42	37
17	117	104	90	54	51
18	68	66	54	35	29
>=19	1	10	7	2	1
Totals	316	330	271	173	153

Recidivism Methodology and Findings

Measures and Methods

Subjects in this study were tracked for re-arrest and re-commitment after their at-risk dates using electronic data stored in the state's criminal justice information system (CJIS), court, DOC and YRS record repositories. Offenses counted as recidivism were limited to state felonies, serious misdemeanors, or violations of probation or parole. Excluded as recidivism events are most state motor vehicle offenses, state criminal offenses classified as violations, and all municipal ordinances. A small number of offenses excluded from recidivism counts can result in jail terms, but the general distinction used for exclusion was that only jailable state offenses were counted as recidivism. (Refer to the Table A1 for details.)

For post-release arrests identified, recidivism events were established by offense dates, not actual arrest dates. The intent was to associate recidivism events as closely as possible with an offenders' return to criminal behavior, rather than when authorities became aware of and acted on their behavior. Offenses were not counted as recidivism events if post-release arrest were for offenses that occurred prior to release. Recommitments were based only on YRS or DOC admission dates, regardless of when the underlying offense(s) occurred. Any secure custody readmissions, in detained or sentenced status, and regardless of sentence length, were counted as recommitments.

Re-Arrest and Re-Admission by Stay Type and Facility Flow

The tables in this section are based on the juveniles stay type and facility flow. Stay type refers to the most serious charge in the case in which the youth has been sentenced to a facility. Administrative category refers to juveniles who experience an administrative reprimand subsequent to a previous adjudication. Facility flow shows the path the youth moved through the YRS system and which facilities he or she attended, which is important to reflect the continuum of care as the youth moves through YRS facilities. For example, "SDL5L4" refers to a juvenile who started in Secure Detention, then entered a Level 5 facility, and lastly flowed to a Level 4 facility with no break in YRS secure custody. A typical stay for a juvenile in this category would be Secure Detention with a direct flow to Ferris School followed by Mowlds Cottage.

Table 3 and Figures 2 through 4 show a steady increase in the percentage of youth in Level 5 and Level 4 custody as a result of a commitment on a felony charge. This has increased steadily from 38.3% in 2012 to a high of 67.3% in 2016. One such argument for this increase is that the number of youth being committed to Level 5 or Level 4 custody is steadily decreasing, in conjunction with the push to commit primarily offenders with felony charges and commit a lower percentage of juveniles having misdemeanors, VOP's and the like. Youth committed to Level 5 or Level 4 facilities on non-felony charges has decreased from 61.7% in 2012 to 32.7% in 2016. The facility flow of Secure Detention to a Level 4 (SDL4) facility is the most popular tract, with 50% to 60% of juveniles following this facility flow. This is in part because most non-felony charges are held in secure detention and then sentenced to Level 4, as well as some portion of the felony commitments. Additionally, VOP's alone account for approximately 20% of the commitments to Level 5 and Level 4 juvenile facilities for the 2012 through 2016 recidivism cohorts. However, direct placement of a juvenile to a Level 5 or Level 4 facility occurs in less than 10% of all cases between the years of 2012 and 2016.

Table 3. Youth stay type by facility flow

Stay Type		Facility Flow						SD to Adult	Total
		SDL5L4	SDL5	SDL4	L5L4	L5	L4		
2012	Felony	45	10	59	0	0	7	n/a	121
	Misdemeanor	9	3	55	0	0	3	n/a	70
	VOP	21	2	55	0	0	2	n/a	80
	Misdemeanor and VOP	6	1	11	0	0	0	n/a	18
	Administrative	0	0	5	0	0	21	n/a	26
	Drug Court	0	0	1	0	0	0	n/a	1
	Totals	81	16	186	0	0	33		316
2013	Felony	66	8	79	1	0	6	16	176
	Misdemeanor	17	1	50	0	1	12	1	82
	VOP	14	3	46	1	0	5	0	69
	Misdemeanor and VOP	0	0	2	0	0	0	0	2
	Administrative	0	0	1	0	0	3	0	4
	Drug Court	0	0	0	0	0	1	0	1
	Totals	97	12	178	2	1	27	17	334
2014	Felony	54	7	69	0	0	0	7	137
	Misdemeanor	7	0	42	0	0	0	0	49
	VOP	24	2	47	0	0	2	0	75
	Misdemeanor and VOP	1	0	0	0	0	0	0	1
	Administrative	1	1	5	0	0	2	0	9
	Drug Court	0	0	0	0	0	0	0	0
	Totals	87	10	163	0	0	4	7	271
2015	Felony	48	12	37	0	0	0	5	102
	Misdemeanor	6	0	21	0	0	0	0	27
	VOP	8	2	33	0	0	0	0	43
	Misdemeanor and VOP	1	0	0	0	0	0	0	1
	Administrative	0	0	0	0	0	0	0	0
	Drug Court	0	0	0	0	0	0	0	0
	Totals	63	14	91	0	0	0	5	173
2016	Felony	25	29	46	0	0	1	2	103
	Misdemeanor	3	2	19	0	0	3	0	27
	VOP	3	1	18	0	0	1	0	23
	Misdemeanor and VOP	0	0	0	0	0	0	0	0
	Administrative	0	0	0	0	0	0	0	0
	Drug Court	0	0	0	0	0	0	0	0
	Totals	31	32	83	0	0	5	2	153

Figure 2. Number of juveniles by facility flow for youth with a felony offense

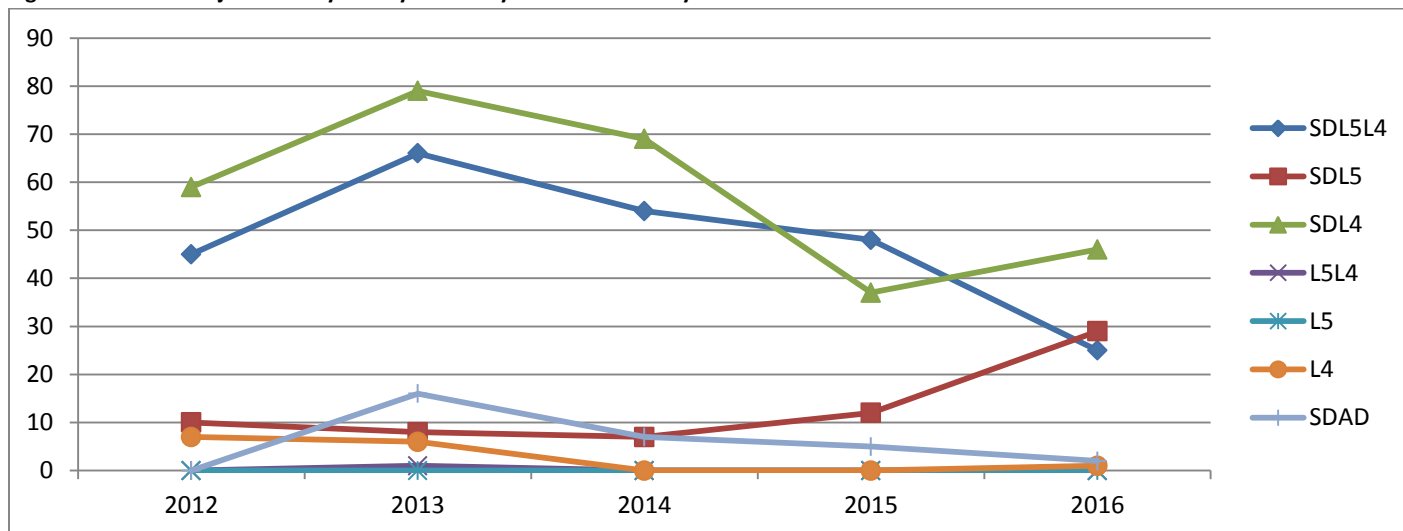


Figure 3. Number of juveniles by facility flow for youth with a misdemeanor offense

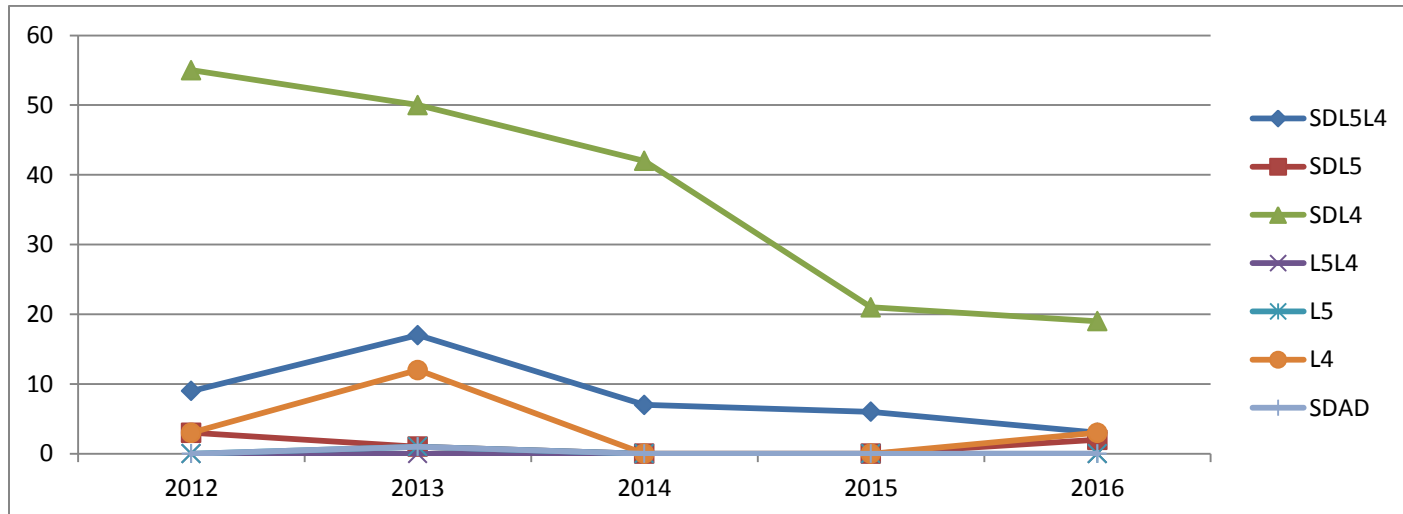
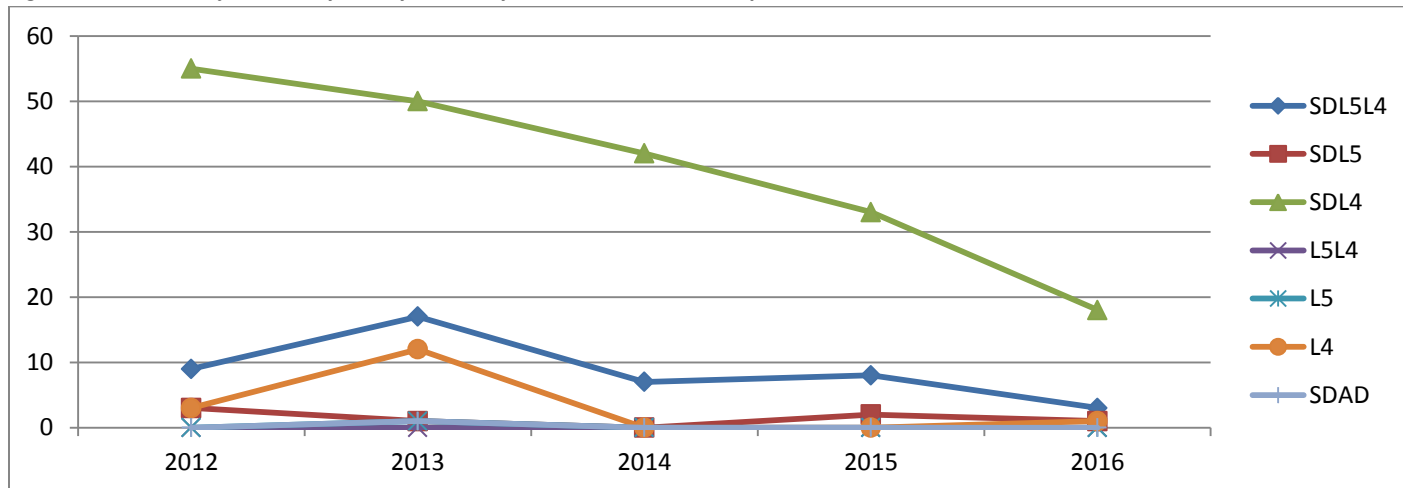


Figure 4. Number of juveniles by facility flow for youth with a violation of probation offense



Tables 4 and 5 portray re-arrest and re-admission by stay type for youth released from a YRS Level 5 or Level 4 facility between the years of 2012 to 2016. Offenses counted as recidivism were state felonies, serious misdemeanors, or violations of probation within the first 18 months after the youth's at-risk date. Re-arrest recidivism measures were completed for felony arrest within 12 months and any arrest within 18 months.

Table 4 shows that 38.8% of youth present in a YRS Level 5 or Level 4 facility on a felony offense from the 2012 cohort were re-arrested on a felony within 12 months at risk. There was a decrease to 19.8% in 2013, and 24.1% in 2014. However, 2015 and 2016 saw an increase in the number of youth, 43.1% and 46.6% respectively, re-arrested on a felony charge within 12 months at-risk. With the push to commit primarily those youth presenting felony charges, and less of them, it is not surprising to see an increase in felony re-arrests among that population. Juveniles falling into this category would naturally be deemed higher risk based on their previous arrest history. Between 75-82% of all juveniles released from a Level 5 or Level 4 secure facility from 2012 through 2016 are re-arrested on any charge type within 18 months at risk, with approximately 33% of those juveniles being re-arrested within 12 months on a felony charge.

Table 5 shows 18 month at-risk re-admission rates for youth released from a YRS Level 5 or Level 4 facility for 2012 through 2016. Juveniles committed on a felony charge were re-admitted to a juvenile facility within 18 months at-risk at a rate of 44.7% and re-admitted to an adult facility at a rate of 24.3% for the 2016 cohort. Youth released from a Level 5 or 4 commitment on VOP had the highest 18 month at-risk re-admission rate to a juvenile facility, of 52.2%. This could be in part due to practices and procedures relating to violation of probation by juvenile.

Table 4. Youth re-arrest by stay type

Stay Type		Any Arrest		Felony Arrest		Total at Risk
		18 months	%	first 12 months	%	
2012	Felony	89	73.6	47	38.8	121
	Misdemeanor	53	75.7	19	27.1	70
	VOP	73	91.3	36	45.0	80
	Misdemeanor and VOP	12	66.7	6	33.3	18
	Administrative	22	84.6	12	46.2	26
	Drug Court	0	0.0	0	0.0	1
	Totals	249	78.8	120	38.0	316
2013	Felony	128	74.4	34	19.8	172
	Misdemeanor	62	75.6	12	14.6	82
	VOP	55	79.7	16	23.2	69
	Misdemeanor and VOP	2	100.0	0	0.0	2
	Administrative	4	100.0	0	0.0	4
	Drug Court	1	100.0	0	0.0	1
	Totals	252	76.4	62	18.8	330
2014	Felony	108	78.8	33	24.1	137
	Misdemeanor	41	83.7	9	18.4	49
	VOP	64	85.3	15	20.0	75
	Misdemeanor and VOP	1	100.0	1	100.0	1
	Administrative	8	88.9	3	33.3	9
	Drug Court	0	0.0	0	0.0	0
	Totals	222	81.9	61	22.5	271
2015	Felony	83	81.4	44	43.1	102
	Misdemeanor	21	77.8	11	40.7	27
	VOP	34	79.1	14	32.6	43
	Misdemeanor and VOP	1	100.0	0	0.0	1
	Administrative	0	0.0	0	0.0	0
	Drug Court	0	0.0	0	0.0	0
	Totals	139	80.3	69	39.9	173
2016	Felony	83	80.6	48	46.6	103
	Misdemeanor	23	85.2	7	25.9	27
	VOP	18	78.3	12	52.2	23
	Misdemeanor and VOP	0	0.0	0	0.0	0
	Administrative	0	0.0	0	0.0	0
	Drug Court	0	0.0	0	0.0	0
	Totals	124	81.0	67	43.8	153

Table 5. Youth re-admission by stay type

Stay Type		Juvenile Facility		Adult Facility		Total at Risk
		Re-Admission	%	Re-Admission	%	
2012	Felony	42	34.7	16	13.2	121
	Misdemeanor	18	25.7	14	20.0	70
	VOP	31	38.8	18	22.5	80
	Misdemeanor and VOP	4	22.2	4	22.2	18
	Administrative	2	7.7	4	15.4	26
	Drug Court	0	0.0	0	0.0	1
	Totals	97	30.7	56	17.7	316
2013	Felony	71	41.3	40	23.3	172
	Misdemeanor	37	45.1	13	15.9	82
	VOP	33	47.8	13	18.8	69
	Misdemeanor and VOP	1	50.0	0	0.0	2
	Administrative	2	50.0	1	25.0	4
	Drug Court	1	100.0	0	0.0	1
	Totals	145	43.9	67	20.3	330
2014	Felony	49	35.8	30	21.9	137
	Misdemeanor	25	51.0	8	16.3	49
	VOP	38	50.7	19	25.3	75
	Misdemeanor and VOP	0	0.0	1	100.0	1
	Administrative	1	11.1	2	22.2	9
	Drug Court	0	0.0	0	0.0	0
	Totals	113	41.7	60	22.1	271
2015	Felony	48	47.1	24	23.5	102
	Misdemeanor	15	55.6	4	14.8	27
	VOP	25	58.1	7	16.3	43
	Misdemeanor and VOP	1	100.0	0	0.0	1
	Administrative	0	0.0	0	0.0	0
	Drug Court	0	0.0	0	0.0	0
	Totals	89	51.4	35	20.2	173
2016	Felony	46	44.7	25	24.3	103
	Misdemeanor	11	40.7	4	14.8	27
	VOP	12	52.2	5	21.7	23
	Misdemeanor and VOP	0	0.0	0	0.0	0
	Administrative	0	0.0	0	0.0	0
	Drug Court	0	0.0	0	0.0	0
	Totals	69	45.1	34	22.2	153

Figure 5. Re-arrest and re-admission rates by release year for felony stay type



Figure 6. Re-arrest and re-admission rates by release year for misdemeanor stay type

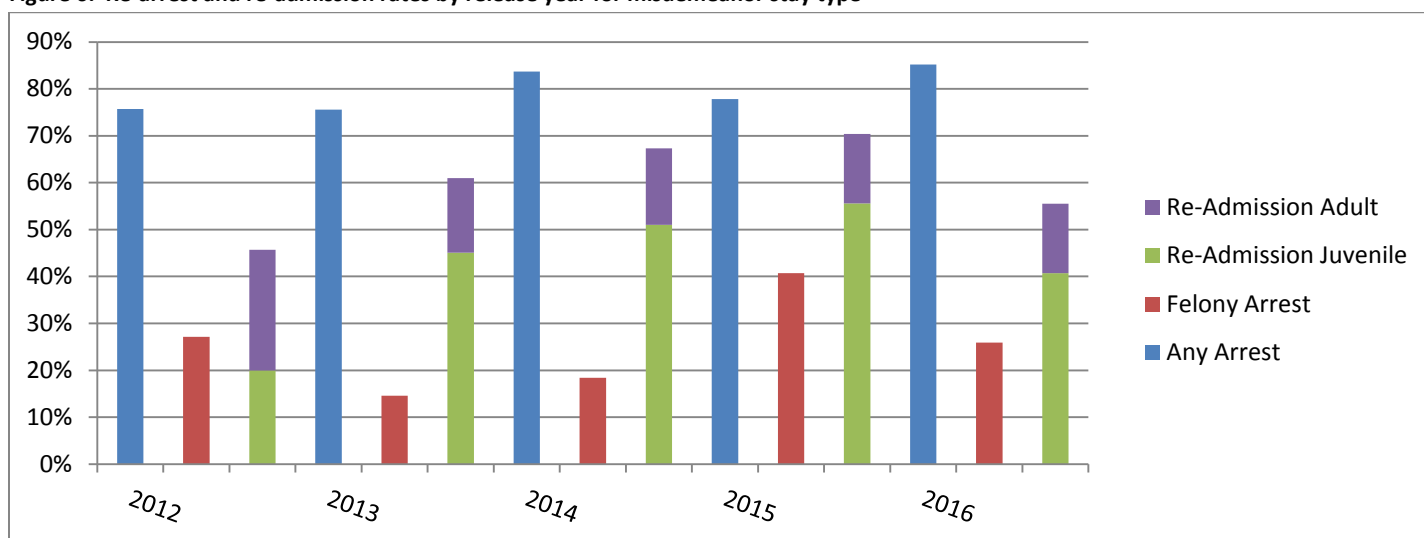
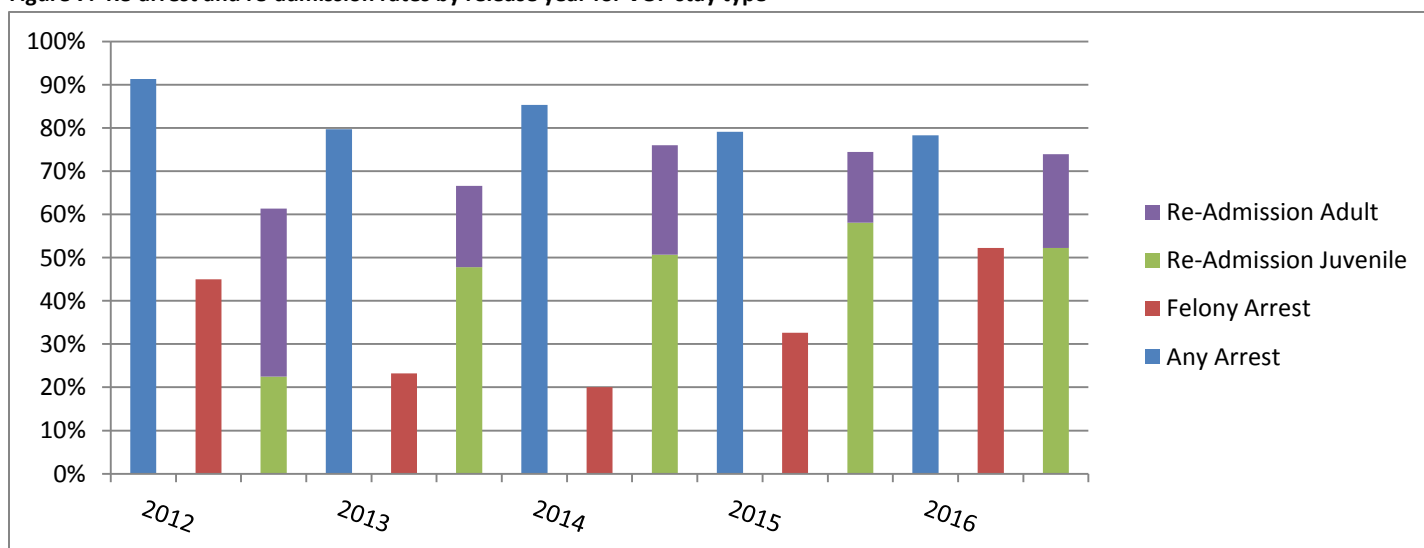


Figure 7. Re-arrest and re-admission rates by release year for VOP stay type



Tables 6 and 7 portray re-arrest and re-admission by facility flow for youth released from a YRS Level 5 or Level 4 facility between the years of 2012 to 2016. Offenses counted as recidivism were state felonies, serious misdemeanors, or violations of probation within the first 18 months after the youth's at-risk date. Re-arrest recidivism measures were completed for felony arrest within 12 months and any arrest within 18 months.

Table 6 shows re-arrest based on the juvenile's facility flow. Facility flow shows the path that the youth moved through the YRS system and which facilities he or she attended. For example, "SDL5L4" refers to a juvenile who started in Secure Detention, then entered a Level 5 facility, and lastly flowed to a Level 4 facility with no break in YRS custody. Table 6 shows that 52.0% of juveniles that were released from a SDL5L4 facility flow in 2015 and 2016, were re-arrested on a felony charge within 12 months at-risk. Between 80% and 90% of juveniles in the SDL5L4 facility flow were re-arrested on a felony, serious misdemeanor, or VOP within 18 months at risk. For the categories where all juveniles were re-arrested within 18 months, please take note of the small number of youth at-risk in those categories.

Table 7 shows re-admission with respect to the juvenile's facility flow. Of the youth with a facility flow of SDL5L4, between 35-50% were re-admitted to a juvenile facility within 18 months of release in cohorts 2012 through 2016. On average juveniles released from Level 5 and Level 4 secure facilities from 2012-2016, with any combination of facility flow, were re-admitted to a juvenile facility within 18 months at-risk at a rate of 43%. Youth from the 2012 through 2016 release cohort were re-admitted to an adult facility, within 18 months at-risk, at a rate of 21.2% on average.

Table 6. Youth re-arrest by facility flow

Facility Flow		Any Arrest		Felony Arrest		Total at Risk
		18 months	%	first 12 months	%	
2012	SDL5L4	67	82.7	40	49.4	81
	SDL5	11	68.8	4	25.0	16
	SDL4	146	78.5	66	35.5	186
	L5L4	0	0.0	0	0.0	0
	L5	0	0.0	0	0.0	0
	L4	24	72.7	10	30.3	33
	Totals	248	78.5	120	38.0	316
2013	SDL5L4	80	82.5	28	28.9	97
	SDL5	15	60.0	4	16.0	25
	SDL4	137	77.0	27	15.2	178
	L5L4	1	50.0	0	0.0	2
	L5	0	0.0	0	0.0	1
	L4	19	70.4	3	11.1	27
	Totals	252	76.4	62	18.8	330
2014	SDL5L4	78	89.7	27	31.0	87
	SDL5	13	76.5	7	41.2	17
	SDL4	127	77.9	25	15.3	163
	L5L4	0	0.0	0	0.0	0
	L5	0	0.0	0	0.0	0
	L4	4	100.0	2	50.0	4
	Totals	222	81.9	61	22.5	271
2015	SDL5L4	56	88.9	31	49.2	63
	SDL5	7	50.0	6	42.9	14
	SDL4	71	78.0	31	34.1	91
	L5L4	0	0.0	0	0.0	0
	L5	0	0.0	0	0.0	0
	L4	0	0.0	0	0.0	0
	SD to Adult	3	60.0	1	20.0	5
	Totals	134	77.5	68	39.3	173
2016	SDL5L4	25	80.6	17	54.8	31
	SDL5	28	87.5	17	53.1	32
	SDL4	65	78.3	32	38.6	83
	L5L4	0	0.0	0	0.0	0
	L5	0	0.0	0	0.0	0
	L4	3	60.0	0	0.0	5
	SD to Adult	2	100.0	1	50.0	2
	Totals	121	79.1	66	43.1	153

Table 7. Youth re-admission by facility flow

Facility Flow		Juvenile Facility		Adult Facility		Total at Risk
		Re-Admission	%	Re-Admission	%	
2012	SDL5L4	40	49.4	10	12.3	81
	SDL5	7	43.8	1	6.3	16
	SDL4	47	25.3	41	22.0	186
	L5L4	0	0.0	0	0.0	0
	L5	0	0.0	0	0.0	0
	L4	3	9.1	4	12.1	33
	Totals	97	30.7	56	17.7	316
2013	SDL5L4	43	44.3	28	28.9	97
	SDL5	5	20.0	8	32.0	25
	SDL4	88	49.4	27	15.2	178
	L5L4	1	50.0	0	0.0	2
	L5	0	0.0	0	0.0	1
	L4	8	29.6	4	14.8	27
	Totals	145	43.9	67	20.3	330
2014	SDL5L4	33	37.9	31	35.6	87
	SDL5	4	23.5	5	29.4	17
	SDL4	73	44.8	23	14.1	163
	L5L4	0	0.0	0	0.0	0
	L5	0	0.0	0	0.0	0
	L4	3	75.0	1	25.0	4
	Totals	113	41.7	60	22.1	271
2015	SDL5L4	30	47.6	19	30.2	63
	SDL5	3	21.4	12	85.7	14
	SDL4	56	61.5	8	8.8	91
	L5L4	0	0.0	0	0.0	0
	L5	0	0.0	0	0.0	0
	L4	0	0.0	0	0.0	0
	SD to Adult	0	0.0	4	80.0	5
	Totals	89	53.0	39	23.2	168
2016	SDL5L4	11	35.5	13	41.9	31
	SDL5	12	37.5	11	34.4	32
	SDL4	43	51.8	10	12.0	83
	L5L4	0	0.0	0	0.0	0
	L5	0	0.0	0	0.0	0
	L4	3	60.0	0	0.0	5
	SD to Adult	1	50.0	0	0.0	2
	Totals	69	45.7	34	22.5	151

Figure 8. Re-arrest and re-admission rates by release year for facility flow of SDL5L4

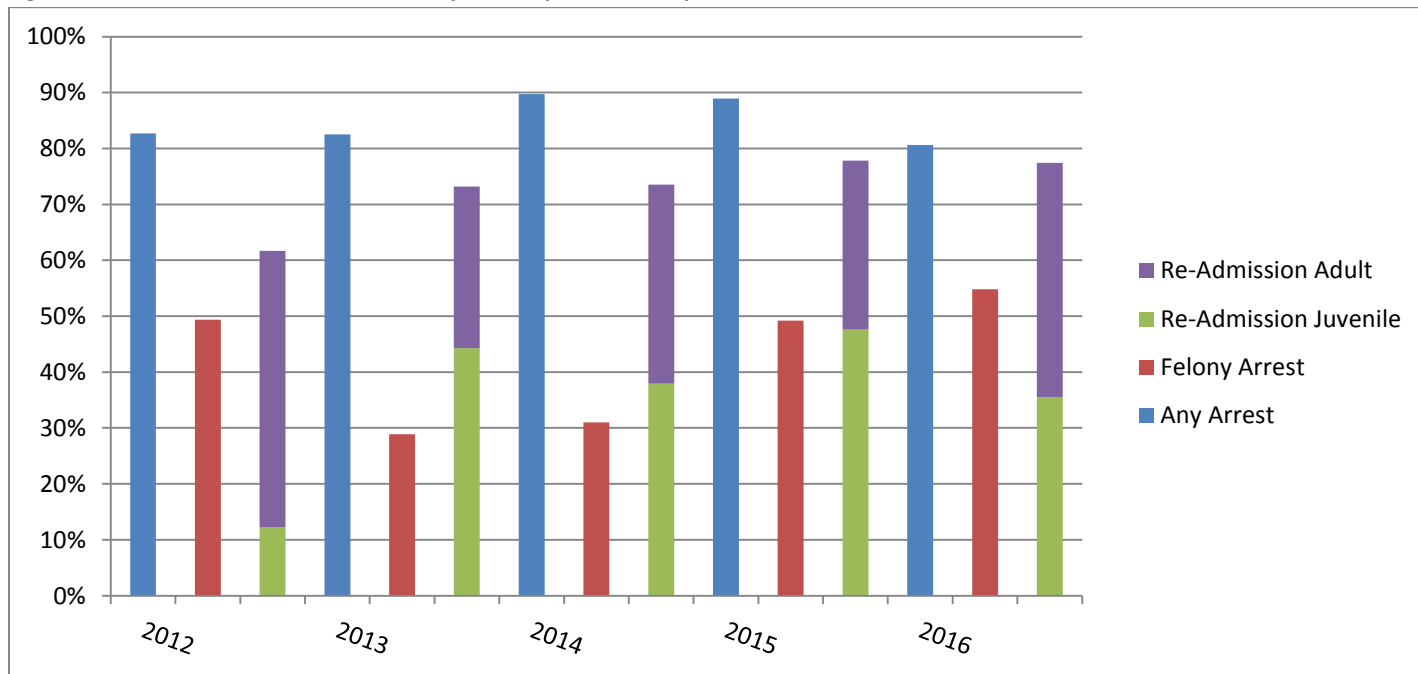
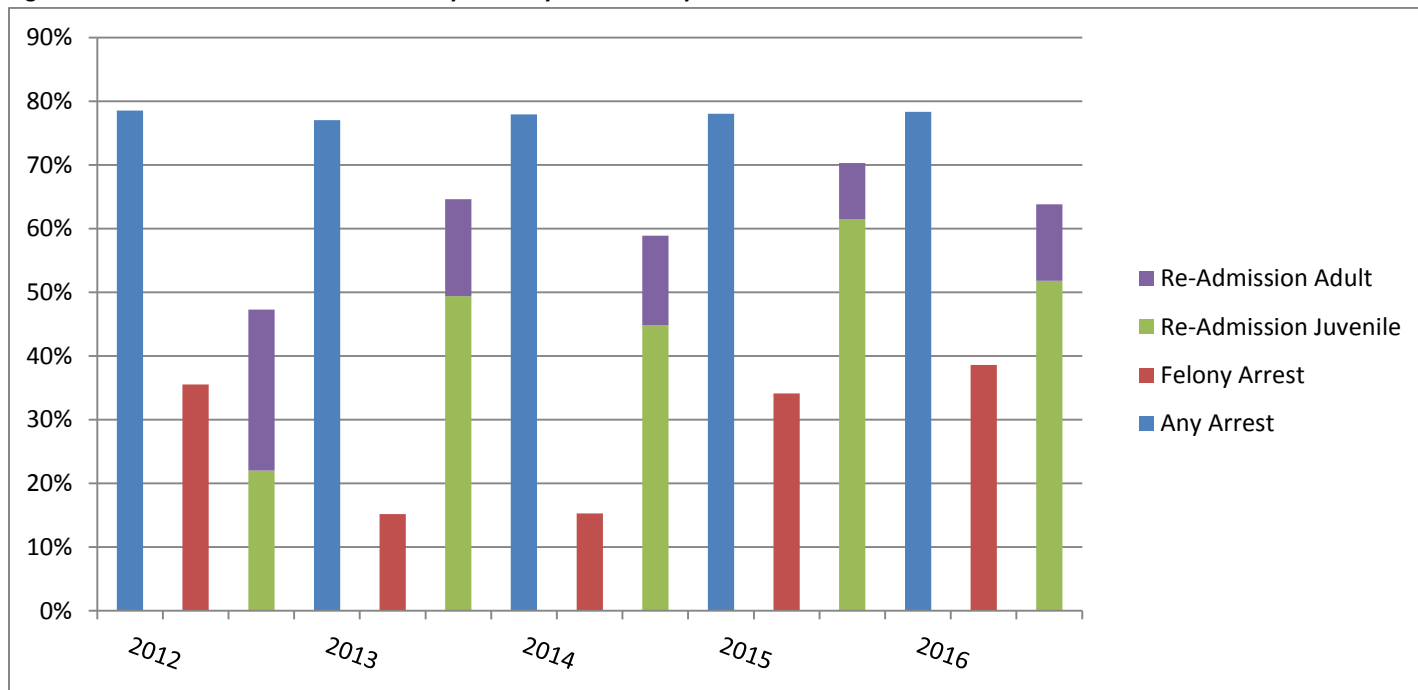


Figure 9. Re-arrest and re-admission rates by release year for facility flow of SDL4



Re-Arrest and Re-Admission by Race and Age At Release

Tables 8 and 9 show youth re-arrest and re-admission rates by race for juvenile release cohorts 2012 through 2016. On average, for release cohorts 2012 through 2016, black youth were re-arrested within 18 months at-risk at a rate of 82.3%. White youth had a re-arrest within 18 months at-risk at a rate of 72.1%. On average 35.1% of black youth have a felony arrest within the first 12 months at risk, while 24.6% of white youth are re-arrested on a felony charge. Re-admission rates to a juvenile facility within 18 months at-risk average 44.9% for black youth and 34.4% for white youth across release cohort years of 2012 through 2016. Return rates to an adult facility were 22.4% within an 18 month at-risk period for black youth and 15.2% for white youth. Approximately 66.2% of at-risk black youth were re-admitted to either a juvenile or adult facility within 18 months of release across cohorts 2012 through 2016. Of white youth released from 2012 through 2016 and at-risk for 18 months, 47.2% were re-admitted to a juvenile or adult facility during that time. Both juvenile and adult facility re-admissions have fluctuated slightly across cohort years 2012 through 2016.

Table 8. Youth re-arrest by race

Race		Any Arrest		Felony Arrest		Total at Risk
		18 months	%	first 12 months	%	
2012	Black	189	84.4	96	42.9	224
	White	60	65.2	24	26.1	92
	Totals	249	78.8	120	38.0	316
2013	Black	186	77.8	51	21.3	239
	White	66	72.5	11	12.1	91
	Totals	252	76.4	62	18.8	330
2014	Black	180	84.9	51	24.1	212
	White	42	71.2	10	16.9	59
	Totals	222	81.9	61	22.5	271
2015	Black	109	83.2	54	41.2	131
	White	30	71.4	15	35.7	42
	Totals	139	80.3	69	39.9	173
2016	Black	104	81.3	59	46.1	128
	White	20	80.0	8	32.0	25
	Totals	124	81.0	67	43.8	153

Table 9. Youth re-admission by race

Race		Juvenile Facility		Adult Facility		Total at Risk
		Re-Admission	%	Re-Admission	%	
2012	Black	74	33.0	46	20.5	224
	White	23	25.0	10	10.9	92
	Totals	97	30.7	56	17.7	316
2013	Black	111	46.4	51	21.3	239
	White	34	37.4	16	17.6	91
	Totals	145	43.9	67	20.3	330
2014	Black	92	43.4	54	25.5	212
	White	21	35.6	6	10.2	59
	Totals	113	41.7	60	22.1	271
2015	Black	73	55.7	31	23.7	131
	White	16	38.1	4	9.5	42
	Totals	89	51.4	35	20.2	173
2016	Black	61	47.7	27	21.1	128
	White	10	40.0	7	28.0	25
	Totals	71	46.4	34	22.2	153

Figure 10. Youth re-arrest and re-admission by race and release cohort

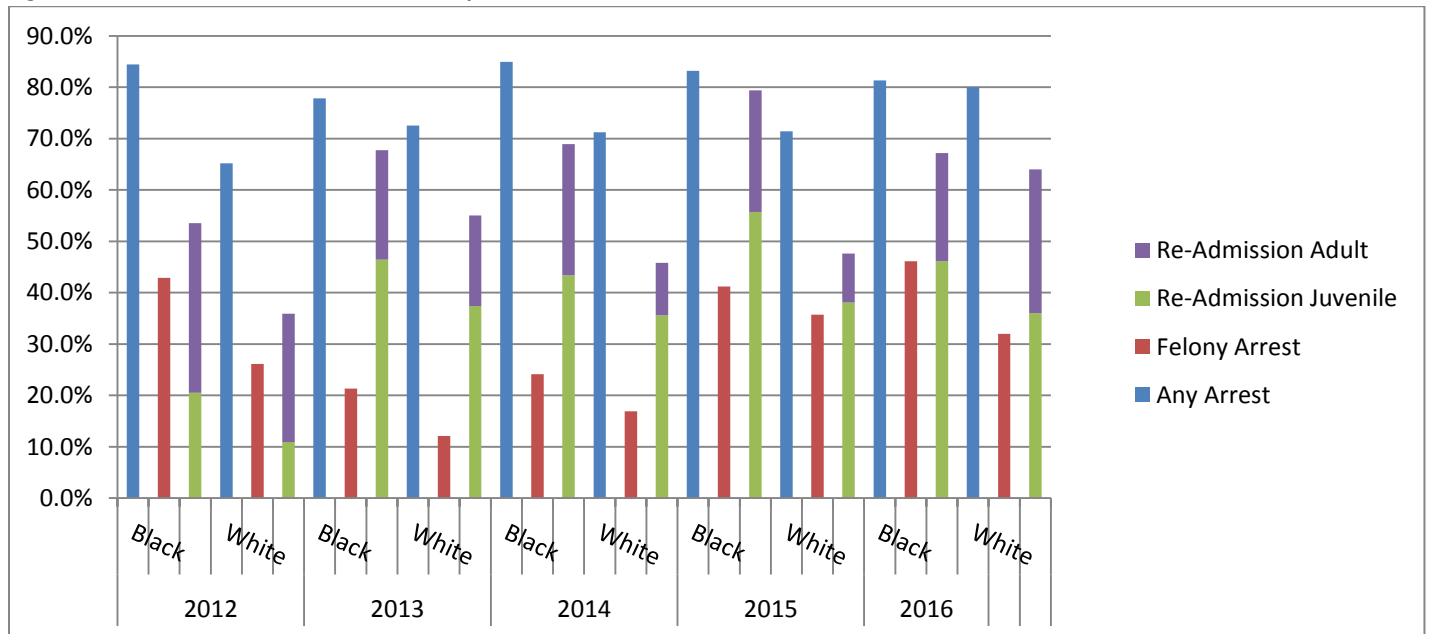


Table 10 shows youth re-arrest by age at time of release from Level 5 or Level 4 juvenile facilities for release cohorts 2012 through 2016. The majority of youth released from a Level 5 or Level 4 juvenile facility are between the ages of 16 and 18. The re-arrest rate for 16-18 year olds at risk for 18 months is 75.9% for the 2012 release cohort, 74.9% for 2013, 80.9% for 2014, 81.8% for 2015 and 82.6% for 2016. The rate for a felony re-arrest within 12 months at-risk, for 16-18 year old youth, in release cohort 2012 through 2016, is 36.8%, 20.0%, 23.8%, 47.1%, and 42.6% respectively. The uptick in felony re-arrest within 12 months at-risk may be due to the increased effort in recent years to commit only serious juvenile offenders, hence, making these cohorts more apt to be a population to re-offend with a subsequent felony.

Table 11 shows youth re-admission by age at time of release from a juvenile Level 5 or Level 4 facility for release cohorts 2012 through 2016. On average 52.3% of youth age 15 to 17 at time of release from cohorts 2012 through 2016 were re-admitted to a juvenile facility with 18 months at-risk. On average across all release cohorts and all age categories at time of release, 23.1% of youth were re-admitted to an adult facility within 18 months at-risk.

Table 10. Youth re-arrest by age at release

Age at Release		Any Arrest		Felony Arrest		Total at Risk
		18 months	%	first 12 months	%	
2012	<=13	4	100.0	0	0.0	4
	14	10	71.4	2	14.3	14
	15	41	93.2	20	45.5	44
	16	57	83.8	21	30.9	68
	17	91	77.8	52	44.4	117
	18	45	66.2	24	35.3	68
	>=19	1	100.0	1	100.0	1
	Totals	249	78.8	120	38.0	316
2013	<=13	3	100.0	0	0.0	3
	14	14	82.4	4	23.5	17
	15	43	84.3	7	13.7	51
	16	64	81.0	15	19.0	79
	17	77	74.0	22	21.2	104
	18	46	69.7	13	19.7	66
	>=19	5	50.0	1	10.0	10
	Totals	252	76.4	62	18.8	330
2014	<=13	2	100.0	0	0.0	2
	14	15	83.3	4	22.2	18
	15	28	87.5	3	9.4	32
	16	49	72.1	9	13.2	68
	17	77	85.6	24	26.7	90
	18	46	85.2	17	31.5	54
	>=19	5	71.4	4	57.1	7
	Totals	222	81.9	61	22.5	271
2015	<=13	2	66.7	0	0.0	3
	14	10	76.9	2	15.4	13
	15	21	87.5	8	33.3	24
	16	36	85.7	23	54.8	42
	17	37	68.5	16	29.6	54
	18	32	91.4	20	57.1	35
	>=19	0	0.0	0	0.0	2
	Totals	138	79.8	69	39.9	173
2016	<=13	3	75.0	2	50.0	4
	14	5	83.3	5	83.3	6
	15	17	68.0	8	32.0	25
	16	30	81.1	12	32.4	37
	17	41	80.4	24	47.1	51
	18	25	86.2	14	48.3	29
	>=19	0	0.0	1	100.0	1
	Totals	121	79.1	66	43.1	153

Table 11. Youth re-admission by age at release

Age at Release		Juvenile Facility		Adult Facility		Total at Risk
		Re-Admission	%	Re-Admission	%	
2012	<=13	2	50.0	0	0.0	4
	14	6	42.9	0	0.0	14
	15	23	52.3	0	0.0	44
	16	18	26.5	6	8.8	68
	17	7	6.0	57	48.7	117
	18	0	0.0	33	48.5	68
	>=19	0	0.0	1	100.0	1
	Totals	56	17.7	97	30.7	316
2013	<=13	2	66.7	0	0.0	3
	14	14	82.4	0	0.0	17
	15	37	72.5	1	2.0	51
	16	50	63.3	3	3.8	79
	17	37	35.6	30	28.8	104
	18	5	7.6	27	40.9	66
	>=19	0	0.0	6	60.0	10
	Totals	145	43.9	67	20.3	330
2014	<=13	1	50.0	0	0.0	2
	14	13	72.2	0	0.0	18
	15	20	62.5	0	0.0	32
	16	37	54.4	0	0.0	68
	17	38	42.2	22	24.4	90
	18	4	7.4	35	64.8	54
	>=19	0	0.0	3	42.9	7
	Totals	113	41.7	60	22.1	271
2015	<=13	3	100.0	0	0.0	3
	14	9	69.2	0	0.0	13
	15	19	79.2	1	4.2	24
	16	34	81.0	1	2.4	42
	17	21	38.9	12	22.2	54
	18	2	5.7	20	57.1	35
	>=19	1	50.0	1	50.0	2
	Totals	89	51.4	35	20.2	173
2016	<=13	3	75.0	0	0.0	4
	14	5	83.3	0	0.0	6
	15	14	56.0	0	0.0	25
	16	28	75.7	0	0.0	37
	17	20	39.2	15	29.4	51
	18	1	3.4	18	62.1	29
	>=19	0	0.0	1	100.0	1
	Totals	71	46.4	34	22.2	153

Conclusions and Limitations

This study provides an overview of juvenile recidivism in Delaware. The Center tracked youth released from a Level 4 or Level 5 secure facility in the years 2012 through 2016 for 18 months at-risk. Youth were tracked for both re-arrest and re-admission recidivism measures. Offense dates were used to determine re-arrest events, to most closely represent returns to criminal behavior. For the re-commitment measure, recidivism was identified by the date of first re-admission to a Level 5, Level 4 or secure adult facility, whether in detained or sentenced status, and for any length of time.

The Center captured race, gender and release age for each study subject as they were recorded in the state's information system, with some manual review to resolve obvious data conflicts. (Ethnicity was not studied due to low Hispanic subject counts and issues with inconsistent system data on ethnicity.)

Limited analyses of race, gender, release age, and stay types show sometimes large differences in re-arrest recidivism for those groupings. Conclusions should be drawn carefully though, as more in-depth analyses should be conducted, and some group sizes were small even when five cohort years were combined.

Readers should exercise caution when comparing recidivism rates in this report to findings in other studies. With the lack of standards in measures and methods existing in recidivism research, rate differences can lead to misleading conclusions about offender behavior and rehabilitation efforts. Analyzing recidivism is challenging, as it is a complex, multifaceted problem. This study, while providing some rich data about the subject, raises far more questions than the Center was able to explore given the study's time, resource, and data limitations along with the focus of the Center's mission. For example, this study did not examine those juveniles who did not recidivate, yet key understandings for addressing recidivism may lie in understanding this population. It is important to remember that this study did not examine the complexities of youth offender behavior.

Recidivism is only one type of measure needed to determine whether a package of sanctions and interventions was successful in deterring an individual from future offending. Large differences in recidivism rates alone are not likely to provide reliable indicators of the quality or effectiveness of rehabilitation efforts, either in absolute or relative terms. Recidivism and desistance are essentially all or none measures-either a person continues to reoffend or they do not. However, rehabilitation is a gradual, non-linear process with progress occurring in incremental steps. Examination of recidivism then should also include appropriate study of rehabilitation efforts to understand progress youth are making on the path toward no longer recidivating.

Recidivism Offenses

Most offenses of relevance in this study, whether related to pre-release or recidivism follow-up, are identified in Titles 11, 16, 21, or 31 of the Delaware Code. In measuring re-arrest and recidivism, the Center used only what it refers to as serious criminal offenses. In addition to probation or parole violations, selected offenses are identified in the Delaware Code as felonies or misdemeanors with incarceration as a possible (or mandatory) sanction. In a small number of cases, Delaware arrests and detentions of subjects held as fugitives for others jurisdictions were also counted as recidivism. Offenses/events used in re-arrest recidivism measures are summarized in Table A1.

Table A1. Arrest or conviction events counted as recidivism

Delaware Code references	Offenses or events counted in re-arrest or reconviction recidivism measures
Title 11	Any criminal felony or misdemeanor punishable by incarceration; Violation of probation (§ 4334) or parole (§ 4352); Arrest prior to requisition (§ 2513)
Title 16	Felony or misdemeanor drug offenses identified in Chapter 47
Title 21	Driving after judgment prohibited (§ 2810); Driving under the influence (§ 4177); Disregarding the signal of a police vehicle, felony only (§ 4103); Leaving the scene of an accident (Chapter 42); Theft, unauthorized use, or damage of vehicles (Chapter 67)
Title 31	Abusing, neglecting, exploiting, or mistreating an impaired adult (Chapter 39)

Table A2. Definitions of YRS Levels

Level 5- Secure confinement- lock/secured perimeter
Level 4- Secure confinement, lock/staff secured facility
Level 3- Intensive Probation Supervision
Level 2- Low Level Probation
Level 1- Administrative Probation